

**REMARKS/ARGUMENTS**

A *Notice of Allowance and Fee(s) Due* was mailed in this case on February 17, 2004. Applicant has filed concurrently herewith is a *Request for Continued Examination* under 37 C.F.R. 1.114, and the required fee of \$385.00 under 37 C.F.R. 1.17(e). Entry and consideration of this amendment is respectfully requested.

Claims 2-23 remain pending in this application. Claims 8 and 17 are amended in this amendment. The remaining claims 2-7, 9-16 and 18-23 are as allowed in the *Notice of Allowability*.

The amendments to claims 8 and 17 are made to delete unnecessary limitations inadvertently added to the claims due to word processing errors in Applicant's previous amendment dated December 15, 2003. As explained in detail below, these unnecessary limitations were not required to overcome any rejection, to overcome any objection, or for any other reasons of patentability. The current amendment therefore merely restores claims 8 and 17 to the scope indicated as allowable in the Office Action dated August 14, 2003.

Specifically, in the Office Action mailed August 14, 2003, claim 8 was objected to because of unspecified typographical and/or grammatical errors (see Office Action section 4d, page 3), but was found allowable if a terminal disclaimer was filed to overcome the actual or provisional rejection based on nonstatutory double grounds (see Office Action sections 12 and 14, page 3). In the amendment dated December 15, 2003, Applicant amended lines 5, 9-21, 22 and 23 of claim 8 and submitted a terminal disclaimer in compliance with 37 C.F.R. 1.321(c). The amendments to lines 5, 22 and 23 addressed the examiner's objections, and these amendments remain in place and are not the subject of the current amendment. However, the amendments to lines 9-21 (a single block of added text) was made inadvertently and by mistake, and not to overcome any rejection, to overcome any objection, or for any other reasons of patentability. This unintended additional material in lines 9-21 is therefore deleted by the current amendment to restore claim 8 to its previously indicated allowable scope.

AMENDMENT ACCOMPANYING R.C.E. UNDER 37 C.F.R. 1.114  
S/N 09/986,639

Page 13 of 14

Similarly, in the Office Action mailed August 14, 2003, claim 17 was rejected under 35 U.S.C. 112 because of insufficient antecedent basis for certain limitations of the claim (see Office Action section 8, page 3), but was found allowable if rewritten to overcome the rejection under 35 U.S.C. 112 and if a terminal disclaimer was filed to overcome the actual or provisional rejection based on nonstatutory double grounds (see Office Action section 15, page 3). In the amendment dated December 15, 2003, Applicant amended lines 2-14, 15, 16 and 18 and submitted the terminal disclaimer in compliance with 37 C.F.R. 1.321(c) as previously described. The amendments to lines 15, 16 and 18 addressed the rejection under 35 U.S.C. 112, and these amendments remain in place and are not the subject of the current amendment. However, the amendments to lines 2-14 (a single block of added text) was made inadvertently and by mistake, and not to overcome any rejection, to overcome any objection, or for any other reasons of patentability. This unintended additional material in lines 2-14 is therefore deleted in the current amendment to restore claim 17 to its previously indicated allowable scope.

Applicant respectfully requests that claims 8 and 17, as amended, be allowed.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims 2-23, as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/FBSI-25,939 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,  
HOWISON & ARNOTT, L.L.P.  
Attorneys for Applicants



John J. Arnott  
Registration No. 39,095

P.O. Box 741715  
Dallas, Texas 75374-1715  
Tel: 972-680-6059  
Fax: 972-479-0464  
March 8, 2004

AMENDMENT ACCOMPANYING R.C.E. UNDER 37 C.F.R. 1.114  
S/N 09/986,639

Page 14 of 14